

## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/731,626 12/09/2003		Tiina-Liisa Rasanen	LCTD-0035 4756		
23377 7.	590 02/21/2006	EXAMINER			
WOODCOCK WASHBURN LLP			KWON, BRIAN YONG S		
ONE LIBERTY PLACE, 46TH FLOOR 1650 MARKET STREET			ART UNIT	PAPER NUMBER	
PHILADELPH	IIA, PA 19103	1614			

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application	Application No. Applic		licant(s)			
Office Action Summary		10/731,62	26	RASANEN ET AL.				
		Examiner		Art Unit				
		Brian S. K		1614				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REF CHEVER IS LONGER, FROM THE MAILING ansions of time may be available under the provisions of 37 CFR SIX (6) MONTHS from the mailing date of this communication. O period for reply is specified above, the maximum statutory perior to reply within the set or extended period for reply will, by state reply received by the Office later than three months after the material parent term adjustment. See 37 CFR 1.704(b).	DATE OF THE 1.136(a). In no even iod will apply and with the cause the apply and with the apply apply apply apply apply apply and with the apply	IIS COMMUNICATION ent, however, may a reply be tim Il expire SIX (6) MONTHS from ication to become ABANDONEI					
Status								
1)⊠	Responsive to communication(s) filed on 12	2/09/03.						
′=								
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is							
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
Disposit	ion of Claims							
4)⊠ Claim(s) <u>1-30</u> is/are pending in the application.								
	4a) Of the above claim(s) is/are withdrawn from consideration.							
5)	5) Claim(s) is/are allowed.							
6)	6) Claim(s) is/are rejected.							
·	Claim(s) is/are objected to.							
8)⊠	Claim(s) <u>1-30</u> are subject to restriction and/o	or election req	uirement.					
Applicati	on Papers							
9)☐ The specification is objected to by the Examiner.								
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.								
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).								
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
Priority ι	ınder 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:								
	1. Certified copies of the priority documents have been received.							
<ul> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage</li> </ul>								
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).								
* See the attached detailed Office action for a list of the certified copies not received.								
			·					
Attachmen	t(s)							
1) Notice of References Cited (PTO-892)  4) Interview Summary (PTO-413)								
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date  Notice of Informal Patent Application (PTO-152)					D-152)			
Paper No(s)/Mail Date 6) Other:								

Application/Control Number: 10/731,626

Art Unit: 1614

## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-15, drawn to a method of treating or preventing pancreatitis comprising administering to a patient a stable analogue of spermine or spermidine.
  - II. Claims 16-30, drawn to a method of inducing liver regeneration comprising administering to a patient a stable analogue of spermine or spermidine.

Because these inventions are independent or distinct for the reasons given above and the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

2. In addition, applicant is required under 35 U.S.C. 121 to elect a single disclosed species (e.g., l-methylspermidine) from under the instant claims of the elected Group. Moreover, whatever specific compound is ultimately elected, applicants are required to list all claims readable thereon.

With the election of a specific exemplified compound, a generic concept will be identified by the examiner as the inventive group for examination.

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Application/Control Number: 10/731,626 Page 3

Art Unit: 1614

3. A telephone call was made to David A. Cherry on February 08, 2006 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

- 4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Kwon whose telephone number is (703) 308-5377. The examiner can normally be reached Tuesday through Friday from 9:00 am to 7:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low, can be reached on (571) 272-0951. The fax number for this Group is (571) 273-8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-1600.

Brian Kwon
Patent Examiner
AU 1614

Bil